

1 **SECTION 3855.** 949.165 (12) of the statutes is amended to read:

2 949.165 (12) PAYMENT IS NOT AN AWARD. Any payment from an escrow account
3 under this section shall not be considered as an award by the department under this
4 chapter subchapter.

5 **SECTION 3856.** 949.18 (intro.) of the statutes is amended to read:

6 **949.18 Report by the department.** (intro.) The department's biennial
7 report under s. 15.04 (1) (d) shall include a report of its activities under this chapter
8 subchapter including:

9 **SECTION 3857.** 949.18 (1) of the statutes is amended to read:

10 949.18 (1) An explanation of the procedures for filing and processing claims
11 under this chapter subchapter.

12 **SECTION 3858.** 949.18 (4) of the statutes is amended to read:

13 949.18 (4) A copy of the forms utilized under this chapter subchapter.

14 **SECTION 3859.** 949.18 (5) (intro.) of the statutes is amended to read:

15 949.18 (5) (intro.) A complete statistical analysis of the cases handled under
16 this chapter subchapter, including:

17 **SECTION 3860.** 949.18 (5) (e) of the statutes is amended to read:

18 949.18 (5) (e) A summary of cases handled under this chapter subchapter.

19 **SECTION 3861.** Subchapter II of chapter 949 [precedes 949.20] of the statutes
20 is created to read:

21 **CHAPTER 949**

22 SUBCHAPTER II

23 SEXUAL ASSAULT FORENSIC

24 EXAMINATION COMPENSATION

25 **949.20 Definitions.** In this subchapter:

1 (1) "Cooperate with a law enforcement agency" means to report a sex offense
2 to a law enforcement agency or to aid a law enforcement agency in the investigation
3 of a sex offense.

4 (2) "Department" means the department of justice.

5 (3) "Examination costs" means the costs of an examination that is done to
6 gather evidence regarding a sex offense, any procedure during that examination
7 process that tests for or prevents a sexually transmitted disease, and any medication
8 provided or prescribed, during that examination process, that prevents or treats a
9 sexually transmitted disease that the person performing the examination or
10 procedure believes could be a consequence of the sex offense. "Examination costs"
11 does not include any processing or administrative costs, attorney fees, or other
12 expenses.

13 (4) "Guardian of the victim" means one of the following:

14 1. If the victim is under 18 years of age, the parent, guardian, or legal custodian
15 of the victim.

16 2. If the victim has been determined to be incompetent under ch. 54, the
17 guardian of the victim.

18 (5) "Health care provider" means any person providing health care services.

19 (6) "Law enforcement agency" has the meaning given in s. 165.83 (1) (b).

20 (7) "Sex offense" means an act committed in the state that, if committed by a
21 competent adult, would be a violation, or an attempted violation, of s. 940.225,
22 948.02, 948.025, 948.05, 948.06, 948.08, or 948.09.

23 (8) "Sexually transmitted disease" has the meaning given in s. 252.11 (1).

24 (9) "Victim" means a person against whom a sex offense has been committed.

1 **949.22 Administration.** The department shall administer this subchapter.
2 The department shall appoint a program director to assist in administering this
3 subchapter. The department shall promulgate rules for the implementation and
4 operation of this subchapter. The rules shall include procedures to ensure that any
5 limitation of an award is calculated in a fair and equitable manner.

6 **949.24 Application for award. (1) ELIGIBILITY.** Any health care provider who
7 conducts an examination to gather evidence regarding a sex offense may apply for
8 an award under this subchapter.

9 **(2) FORMS.** The department shall prescribe application forms for awards under
10 this subchapter and shall furnish health care providers with the forms.

11 **(3) MEDICAL RECORDS.** An applicant shall submit to the department reports
12 from any physician, physician's assistant, or nurse who treated or examined the
13 victim to gather evidence regarding a sex offense, performed any procedure during
14 that treatment or examination that tests for or prevents a sexually transmitted
15 disease, or provided or prescribed any medication to prevent or treat a sexually
16 transmitted disease. The applicant may not submit to the department any other
17 records than those pertaining to the examination, treatment, procedure, or
18 medication for which the applicant is seeking an award.

19 **949.26 Computation of awards. (1)** Except as provided in sub. (1m), the
20 department shall make an award under this section to a health care provider who
21 conducts an examination to gather evidence regarding a sex offense to reimburse the
22 health care provider only for the examination costs, as follows:

23 (a) If, under sub. (2) (b), the health care provider is not authorized to seek
24 payment from insurance or another available source of payment, the award shall be

1 the examination costs, regardless of whether the victim, or any guardian of the
2 victim, cooperates with a law enforcement agency regarding the sex offense.

3 (b) If, under sub. (2) (b), the health care provider is authorized to seek payment
4 from insurance or another available source of payment and the victim, or any
5 guardian of the victim, does not cooperate with a law enforcement agency regarding
6 the sex offense, the award shall be the examination costs, reduced by any payment
7 to be received as a result of the authorization under sub. (2) (b).

8 (1m) The department may not make an award under this section if, under sub.
9 (2) (b), the health care provider is authorized to seek payment and the victim, or any
10 guardian of the victim, cooperates with a law enforcement agency.

11 (2) (a) A health care provider seeking an award under this section may not seek
12 payment for any examination costs from the victim or any guardian of the victim.

13 (b) A health care provider seeking an award under this section may not seek
14 payment for any examination costs from insurance or another available source of
15 payment unless the victim or any guardian of the victim authorizes the health care
16 provider to seek payment.

17 (3) The department may not refuse to make an award under this section
18 because the victim or the guardian of the victim does not cooperate with a law
19 enforcement agency regarding the sex offense, or due to lack of an investigation or
20 prosecution of the sex offense.

21 **949.28 Limitations on awards.** (1) No order for the payment of an award
22 under this subchapter may be made unless the application was made within one year
23 after the date of the examination. The department may waive the one-year
24 requirement under this subsection in the interest of justice.

1 (2) The department may not make an award under this subchapter that
2 exceeds the examination costs of the victim.

3 (3) The department may not make an award under this subchapter for any part
4 of the examination costs of the victim for which the health care provider seeking the
5 award has received compensation from any other source.

6 **949.31 Hearings.** (1) The procedure of ch. 227 for contested cases applies to
7 hearings under this subchapter except as otherwise provided in this section and s.
8 949.32.

9 (2) The division of hearings and appeals in the department of administration
10 shall appoint hearing examiners to make findings and orders under s. 227.46 and
11 this subchapter.

12 (3) All hearings shall be open to the public unless in a particular case the
13 examiner determines that the hearing, or a portion of the hearing, shall be held in
14 private having regard to the fact that the offender has not been convicted or to the
15 interest of the victim.

16 **949.315 Subpoenas.** The department or any of its authorized agents may
17 issue subpoenas for persons or records for any investigation or hearing conducted
18 under this subchapter and may enforce compliance with such subpoenas as provided
19 in s. 885.12.

20 **949.32 Condition of victim.** There is no privilege, except privileges arising
21 from the attorney-client relationship, as to communications or records relevant to
22 an issue of the physical condition of the victim in a proceeding under this subchapter
23 in which that condition is an element.

24 **949.33 Agency cooperation.** Upon request by the department, any state or
25 local agency, including a district attorney or law enforcement agency, shall make

1 available all reports, files, and other appropriate information which the department
2 requests in order to make a determination that a health care provider is eligible for
3 an award under this subchapter.

4 **949.36 Confidentiality.** If a health care provider seeks an award under this
5 subchapter, any personally identifiable information, as defined in s. 19.62 (5), of the
6 victim who received the examination shall remain confidential unless written
7 consent for the release of any personally identifiable information is provided by one
8 of the following:

9 (1) Except as provided under sub. (2), the victim.

10 (2) If there is a guardian of the victim, the guardian of the victim.

11 **949.37 Offenses. (1) PROHIBITION.** In connection with an award under this
12 subchapter, no person may do any of the following:

13 (a) Submit a fraudulent application or claim for an award.

14 (b) Intentionally make or cause to be made any false statement or
15 representation of a material fact.

16 (c) Intentionally conceal or fail to disclose information affecting the amount of
17 or the initial or continued right to any such award when reasonably requested to
18 provide such information by the department.

19 (2) **PENALTIES.** Any person who violates this section shall be fined not more than
20 \$500 or imprisoned not more than 6 months or both. The person shall forfeit any
21 benefit received and shall reimburse the state for payments received.

22 (3) **DAMAGES.** The state has a civil cause of action for relief against any person
23 who violates this section for the amount of damages that the state sustained by
24 reason of the violation and, in addition, for punitive damages not more than double

1 the amount of damages that the state may have sustained, together with interest,
2 and the cost of the suit.

3 (4) ACTION. The attorney general may bring any action and has such powers
4 as may be necessary to enforce this section.

5 **949.38 Report by the department.** The department's biennial report under
6 s. 15.04 (1) (d) shall include a report of its activities under this subchapter including
7 all of the following:

8 (1) An explanation of the procedures for filing and processing claims under this
9 subchapter.

10 (2) A description of the programs and policies instituted to promote awareness
11 about the awards under this subchapter.

12 (3) An analysis of future needs and suggested program improvements.

13 (4) A copy of the forms used under this subchapter.

14 (5) A complete statistical analysis of the cases handled under this subchapter,
15 including all of the following:

16 (a) The number of claims filed.

17 (b) The number of claims approved and the amount of each award.

18 (c) The number of claims denied and the reasons for rejection.

19 (d) A breakdown of claims by geographic area and month.

20 **SECTION 3863.** 950.04 (1v) (rm) of the statutes is amended to read:

21 950.04 (1v) (rm) To compensation, as provided under subch. I of ch. 949.

22 **SECTION 3864.** 950.08 (2g) (b) of the statutes is amended to read:

23 950.08 (2g) (b) The availability of compensation under subch. I of ch. 949 and
24 the address and telephone number at which to contact the department for
25 information concerning compensation under subch. I of ch. 949.

1 **SECTION 3865.** 950.08 (2r) (d) of the statutes is amended to read:

2 950.08 (2r) (d) The availability of compensation under subch. I of ch. 949,
3 including information concerning eligibility for compensation and the procedure for
4 applying for compensation.

5 **SECTION 3866.** 961.41 (5) (c) of the statutes, as affected by 2005 Wisconsin Act
6 25, is amended to read:

7 961.41 (5) (c) 1. ~~Two-thirds~~ The first \$850,000 plus two-thirds of all moneys
8 in excess of \$1,275,000 collected in each fiscal year from drug surcharges under this
9 subsection shall be credited to the appropriation account under s. 20.435 (6) (gb).

10 2. ~~One-third of all~~ All moneys in excess of \$850,000 and up to \$1,275,000 plus
11 one-third of moneys in excess of \$1,275,000 collected in each fiscal year from drug
12 surcharges under this subsection shall be credited to the appropriation account
13 under s. 20.505 (6) (ku).

14 **SECTION 3869.** 967.06 of the statutes is renumbered 967.06 (1) and amended
15 to read:

16 967.06 (1) As soon as practicable after a person has been detained or arrested
17 in connection with any offense ~~which~~ that is punishable by incarceration, or in
18 connection with any civil commitment proceeding, or in any other situation in which
19 a person is entitled to counsel regardless of ability to pay under the constitution or
20 laws of the United States or this state, the person shall be informed of his or her right
21 to counsel. ~~Persons~~

22 **(2) (a)** Except as provided in par. (b), a person entitled to counsel under sub.
23 (1) who indicate indicates at any time that ~~they wish~~ he or she wants to be
24 represented by a lawyer, and who ~~claim that they are~~ claims that he or she is not able
25 to pay in full for a lawyer's services, shall immediately be permitted to contact the

1 authority for indigency determinations specified under s. 977.07 (1). The authority
2 for indigency determination in each county shall have daily telephone access to the
3 county jail in order to identify all persons who are being held in the jail. The jail
4 personnel shall provide by phone information requested by the authority.

5 **(3)** In any case in which the state public defender provides representation to
6 an indigent person, the public defender may request that the applicable court
7 reporter or clerk of circuit court prepare and transmit any transcript or court record.
8 The request shall be complied with. The state public defender shall, from the
9 appropriation under s. 20.550 (1) (f), compensate the court reporter or clerk of circuit
10 court for the cost of preparing, handling, duplicating, and mailing the documents.

11 **SECTION 3870.** 967.06 (2) (b) of the statutes is created to read:

12 967.06 (2) (b) If the person indicating that he or she wants to be represented
13 by a lawyer is detained under ch. 48, 51, 55, or 938, the person shall be referred for
14 appointment of counsel as provided under s. 48.23 (4), 51.60, 55.105, or 938.23 (4),
15 whichever is applicable.

16 **SECTION 3871.** 971.14 (3) (d) of the statutes is amended to read:

17 971.14 (3) (d) If the examiner reports that the defendant lacks competency, the
18 examiner's opinion regarding the likelihood that the defendant, if provided
19 treatment, may be restored to competency within the time period permitted under
20 sub. (5) (a). The examiner shall provide an opinion as to whether the individual's
21 treatment should occur in an inpatient facility designated by the department of
22 health and family services, or should be conducted in a jail or a locked unit of a facility
23 that has entered into a voluntary agreement with the state to serve as a location for
24 treatment, or as a condition of bail or bond.

25 **SECTION 3872.** 971.14 (5) (a) of the statutes is amended to read:

1 971.14 (5) (a) If the court determines that the defendant is not competent but
2 is likely to become competent within the period specified in this paragraph if
3 provided with appropriate treatment, the court shall suspend the proceedings and
4 commit the defendant to the custody of the department of health and family services
5 for placement in an appropriate institution for the department to determine whether
6 treatment shall occur in an appropriate institution designated by the department,
7 or in a community-based treatment conducted in a jail or a locked unit of a facility
8 that has entered into a voluntary agreement with the state to serve as a location for
9 treatment, or as a condition of bail or bond, for a period of time not to exceed 12
10 months, or the maximum sentence specified for the most serious offense with which
11 the defendant is charged, whichever is less. Under this subsection, the department
12 of health and family services may commence services to a person in jail but shall, as
13 soon as possible, transfer that person to an institution or provide services to the
14 person in a nonjail setting consistent with this subsection. Days spent in
15 commitment under this paragraph are considered days spent in custody under s.
16 973.155.

17 **SECTION 3873.** 971.14 (5) (b) of the statutes is amended to read:

18 971.14 (5) (b) The defendant shall be periodically reexamined by the treatment
19 facility department of health and family services examiners. Written reports of
20 examination shall be furnished to the court 3 months after commitment, 6 months
21 after commitment, 9 months after commitment and within 30 days prior to the
22 expiration of commitment. Each report shall indicate either that the defendant has
23 become competent, that the defendant remains incompetent but that attainment of
24 competency is likely within the remaining commitment period, or that the defendant
25 has not made such progress that attainment of competency is likely within the

1 remaining commitment period. Any report indicating such a lack of sufficient
2 progress shall include the examiner's opinion regarding whether the defendant is
3 mentally ill, alcoholic, drug dependent, developmentally disabled or infirm because
4 of aging or other like incapacities.

5 **SECTION 3874.** 971.14 (5) (c) of the statutes is amended to read:

6 971.14 (5) (c) Upon receiving a report under par. (b), indicating the defendant
7 has regained competency or is not competent and unlikely to become competent in
8 the remaining commitment period, the court shall hold a hearing within 14 days of
9 receipt of the report and the court shall proceed under sub. (4). If the court
10 determines that the defendant has become competent, the defendant shall be
11 discharged from commitment and the criminal proceeding shall be resumed. If the
12 court determines that the defendant is making sufficient progress toward becoming
13 competent, the commitment shall continue.

14 **SECTION 3875.** 971.17 (3) (e) of the statutes is amended to read:

15 971.17 (3) (e) An order for conditional release places the person in the custody
16 and control of the department of health and family services. A conditionally released
17 person is subject to the conditions set by the court and to the rules of the department
18 of health and family services. Before a person is conditionally released by the court
19 under this subsection, the court shall so notify the municipal police department and
20 county sheriff for the area where the person will be residing. The notification
21 requirement under this paragraph does not apply if a municipal department or
22 county sheriff submits to the court a written statement waiving the right to be
23 notified. If the department of health and family services alleges that a released
24 person has violated any condition or rule, or that the safety of the person or others
25 requires that conditional release be revoked, he or she may be taken into custody

1 under the rules of the department. The department of health and family services
2 shall submit a statement showing probable cause of the detention and a petition to
3 revoke the order for conditional release to the committing court and the regional
4 office of the state public defender responsible for handling cases in the county where
5 the committing court is located within 48 72 hours after the detention, excluding
6 Saturdays, Sundays, and legal holidays. The court shall hear the petition within 30
7 days, unless the hearing or time deadline is waived by the detained person. Pending
8 the revocation hearing, the department of health and family services may detain the
9 person in a jail or in a hospital, center or facility specified by s. 51.15 (2). The state
10 has the burden of proving by clear and convincing evidence that any rule or condition
11 of release has been violated, or that the safety of the person or others requires that
12 conditional release be revoked. If the court determines after hearing that any rule
13 or condition of release has been violated, or that the safety of the person or others
14 requires that conditional release be revoked, it may revoke the order for conditional
15 release and order that the released person be placed in an appropriate institution
16 under s. 51.37 (3) until the expiration of the commitment or until again conditionally
17 released under this section.

18 **SECTION 3876.** 971.23 (10) of the statutes is amended to read:

19 971.23 (10) PAYMENT OF PHOTOCOPY COPYING COSTS IN CASES INVOLVING INDIGENT
20 DEFENDANTS. When the state public defender or a private attorney appointed under
21 s. 977.08 requests photocopies copies, in any format, of any item that is discoverable
22 under this section, the state public defender shall pay any fee charged for the
23 photocopies copies from the appropriation under s. 20.550 (1) (f). If the person
24 providing photocopies copies under this section charges the state public defender a

1 fee for the photocopies copies, the fee may not exceed the actual, necessary, and direct
2 cost of photocopying providing the copies.

3 **SECTION 3879d.** 973.017 (2) (a) of the statutes is amended to read:

4 973.017 (2) (a) If the offense is a felony, the sentencing guidelines adopted by
5 the sentencing commission ~~under s. 973.30~~ created under 2001 Wisconsin Act 109,
6 or, if the sentencing commission has not adopted a guideline for the offense, any
7 applicable temporary sentencing guideline adopted by the criminal penalties study
8 committee created under 1997 Wisconsin Act 283.

9 **SECTION 3880.** 973.045 (1) (intro.) of the statutes is amended to read:

10 973.045 (1) (intro.) ~~Except as provided in sub. (1m), if~~ If a court imposes a
11 sentence or places a person on probation, the court shall impose a crime victim and
12 witness assistance surcharge calculated as follows:

13 **SECTION 3881.** 973.045 (1m) of the statutes is repealed and recreated to read:

14 973.045 (1m) (a) In this subsection, "civil offense" means an offense punishable
15 by a forfeiture.

16 (b) If all of the following apply, the court shall impose a crime victim and witness
17 assistance surcharge in addition to any forfeiture that it imposes:

18 1. The person is charged with one or more crimes in a complaint.
19 2. As a result of the complaint being amended, the person is charged with a civil
20 offense in lieu of one of those crimes.

21 3. The court finds that the person committed that civil offense on or after the
22 effective date of this subdivision [revisor inserts date].

23 (c) The amount of the surcharge imposed under par. (b) shall be the amount
24 specified in sub. (1) (a) or (b), depending on whether the crime that was the subject
25 of the amendment under par. (b) 2. was a misdemeanor or a felony.

1 **SECTION 3882.** 973.045 (1r) (b) of the statutes is created to read:

2 973.045 (1r) (b) The entire amount of any surcharge imposed under sub. (1m)
3 shall be allocated to part A.

4 **SECTION 3883.** 973.045 (2m) of the statutes is created to read:

5 973.045 (2m) The secretary of administration shall credit part A of the crime
6 victim and witness surcharge to the appropriation account under s. 20.455 (5) (g) and
7 part B to the appropriation account under s. 20.455 (5) (gc).

8 **SECTION 3884.** 973.045 (3) (a) of the statutes is renumbered 973.045 (1r) (a),
9 and 973.045 (1r) (a) (intro.), as renumbered, is amended to read:

10 973.045 (1r) (a) (intro.) The clerk shall record the any crime victim and witness
11 surcharge imposed under sub. (1) in 2 parts. ~~Part A is the portion that the secretary~~
12 ~~of administration shall credit to the appropriation account under s. 20.455 (5) (g) and~~
13 ~~part B is the portion that the secretary of administration shall credit to the~~
14 ~~appropriation account under s. 20.455 (5) (gc), as follows:~~

15 **SECTION 3885.** 973.05 (2m) (r) of the statutes is amended to read:

16 973.05 (2m) (r) To payment of the enforcement surcharge under s. 253.06 49.17
17 (4) (c) until paid in full.

18 **SECTION 3885m.** 973.055 (1) (intro.) of the statutes is amended to read:

19 973.055 (1) (intro.) If a court imposes a sentence on an adult person or places
20 an adult person on probation, regardless of whether any fine is imposed, the court
21 shall impose a domestic abuse surcharge under ch. 814 of \$75 \$100 for each offense
22 if:

23 **SECTION 3886.** 973.055 (3) of the statutes is amended to read:

1 973.055 (3) All moneys collected from domestic abuse surcharges shall be
2 deposited by the secretary of administration in s. ~~20.435 (3)~~ 20.437 (1) (hh) and
3 utilized in accordance with s. ~~46.95~~ 49.165.

4 **SECTION 3887.** 973.09 (1) (b) of the statutes is amended to read:

5 973.09 (1) (b) If the court places the person on probation, the court shall order
6 the person to pay restitution under s. 973.20, unless the court finds there is
7 substantial reason not to order restitution as a condition of probation. If the court
8 does not require restitution to be paid to a victim, the court shall state its reason on
9 the record. If the court does require restitution, it shall notify the department of
10 justice of its decision if the victim may be eligible for compensation under subch. I
11 of ch. 949.

12 **SECTION 3891.** 973.20 (9) (a) of the statutes is amended to read:

13 973.20 (9) (a) If a crime victim is paid an award under subch. I of ch. 949 for
14 any loss arising out of a criminal act, the state is subrogated to the rights of the victim
15 to any restitution required by the court. The rights of the state are subordinate to
16 the claims of victims who have suffered a loss arising out of the offenses or any
17 transaction which is part of the same continuous scheme of criminal activity.

18 **SECTION 3892.** 973.20 (9) (b) of the statutes is amended to read:

19 973.20 (9) (b) When restitution is ordered, the court shall inquire to see if an
20 award has been made under subch. I of ch. 949 and if the department of justice is
21 subrogated to the cause of action under s. 949.15. If the restitution ordered is less
22 than or equal to the award under subch. I of ch. 949, the restitution shall be ~~paid only~~
23 ~~to the general fund~~ credited to the appropriation account under s. 20.455 (5) (hh).
24 If the restitution ordered is greater than the award under subch. I of ch. 949, the
25 ~~general fund shall receive~~ an amount equal to the award under subch. I of ch. 949

1 shall be credited to the appropriation account under s. 20.455 (5) (hh) and the balance
2 shall be paid to the victim.

3 **SECTION 3893.** 973.30 of the statutes is repealed.

4 **SECTION 3909.** 977.02 (2m) of the statutes is amended to read:

5 977.02 (2m) Promulgate rules regarding eligibility for legal services under this
6 chapter, including legal services for ~~children~~ persons who are entitled to be
7 represented by counsel without a determination of indigency, as provided in s. 48.23
8 (4), 51.60, 55.105, or 938.23 (4).

9 **SECTION 3910.** 977.02 (3) of the statutes is amended to read:

10 977.02 (3) Promulgate rules regarding the determination of indigency of
11 persons entitled to be represented by counsel, other than ~~children~~ persons who are
12 entitled to be represented by counsel under s. 48.23, 51.60, 55.105, or 938.23,
13 including the time period in which the determination must be made and the criteria
14 to be used to determine indigency and partial indigency.

15 **SECTION 3911.** 977.05 (4) (gm) of the statutes is amended to read:

16 977.05 (4) (gm) In accordance with the standards under pars. (h) and (i), accept
17 referrals from judges and courts for the provision of legal services without a
18 determination of indigency of ~~children~~ persons who are entitled to be represented by
19 counsel under s. 48.23, 51.60, 55.105, or 938.23, appoint counsel in accordance with
20 contracts and policies of the board, and inform the referring judge or court of the
21 name and address of the specific attorney who has been assigned to the case.

22 **SECTION 3912.** 977.05 (4) (h) of the statutes is amended to read:

23 977.05 (4) (h) Accept requests for legal services from ~~children~~ persons who are
24 entitled to be represented by counsel under s. 48.23, 51.60, 55.105, or 938.23 and
25 from indigent persons who are entitled to be represented by counsel under s. 967.06

1 or who are otherwise so entitled under the constitution or laws of the United States
2 or this state and provide such persons with legal services when, in the discretion of
3 the state public defender, such provision of legal services is appropriate.

4 **SECTION 3913.** 977.05 (4) (i) 8. of the statutes is amended to read:

5 977.05 (4) (i) 8. Cases involving individuals who are subject to petitions for
6 protective placement or involuntary administration of psychotropic medication
7 under ch. 55.

8 **SECTION 3914.** 977.06 (2) (a) of the statutes is amended to read:

9 977.06 (2) (a) A person seeking to have counsel assigned for him or her under
10 s. 977.08, other than a child person who is entitled to be represented by counsel under
11 s. 48.23, 51.60, 55.105, or 938.23, shall sign a statement declaring that he or she has
12 not disposed of any assets for the purpose of qualifying for that assignment of
13 counsel. If the representative or authority making the indigency determination
14 finds that any asset was disposed of for less than its fair market value for the purpose
15 of obtaining that assignment of counsel, the asset shall be counted under s. 977.07
16 (2) at its fair market value at the time it was disposed of, minus the amount of
17 compensation received for the asset.

18 **SECTION 3915.** 977.06 (2) (am) of the statutes is amended to read:

19 977.06 (2) (am) A person seeking to have counsel assigned for him or her under
20 s. 977.08, other than a child person who is entitled to be represented by counsel under
21 s. 48.23, 51.60, 55.105, or 938.23, shall sign a statement declaring that the
22 information that he or she has given to determine eligibility for assignment of
23 counsel he or she believes to be true and that he or she is informed that he or she is
24 subject to the penalty under par. (b).

25 **SECTION 3916.** 977.06 (4) (bm) of the statutes is amended to read:

1 977.06 (4) (bm) In response to a request for information under s. 49.22 (2m)
2 made by the department of ~~workforce development~~ children and families or a county
3 child support agency under s. 59.53 (5), the state public defender shall provide the
4 name and address of an individual, the name and address of the individual's
5 employer and financial information related to the individual, if the name, address
6 or financial information is included in any statement, affidavit or other information
7 provided by the individual regarding financial eligibility under s. 977.07 and if, at
8 the time the request for information is made, the individual is represented by the
9 state public defender or by counsel assigned under s. 977.08.

10 **SECTION 3917.** 977.07 (1) (a) of the statutes is amended to read:

11 977.07 (1) (a) Determination of indigency for persons entitled to counsel shall
12 be made as soon as possible and shall be in accordance with the rules promulgated
13 by the board under s. 977.02 (3) and the system established under s. 977.06. No
14 determination of indigency is required for a child person who is entitled to be
15 represented by counsel under s. 48.23, 51.60, 55.105, or 938.23.

16 **SECTION 3918.** 977.07 (1) (c) of the statutes is amended to read:

17 977.07 (1) (c) For all referrals made under ss. 809.107, 809.30, 974.06 (3) (b)
18 and 974.07 (11), except a referral of a child person who is entitled to be represented
19 by counsel under s. 48.23, 51.60, 55.105, or 938.23, a representative of the state
20 public defender shall determine indigency. For referrals made under ss. 809.107,
21 809.30 and 974.06 (3) (b), except a referral of a child person who is entitled to be
22 represented by counsel under s. 48.23, 51.60, 55.105, or 938.23, the representative
23 of the state public defender may, unless a request for redetermination has been filed
24 under s. 809.30 (2) (d) or the person's request for representation states that his or her

1 financial circumstances have materially improved, rely upon a determination of
2 indigency made for purposes of trial representation under this section.

3 **SECTION 3919.** 977.075 (1g) of the statutes is created to read:

4 977.075 (1g) In this section, "client responsible for payment" means a client of
5 the state public defender other than a client entitled to legal representation without
6 a determination of indigency.

7 **SECTION 3920.** 977.075 (3) of the statutes is amended to read:

8 977.075 (3) The board shall establish by rule a fee schedule that sets the
9 amount that a person, other than a parent subject to s. 48.275 (2) (b) or 938.275 (2)
10 (b), who is client responsible for payment for legal representation shall pay for the
11 cost of the legal representation if the person client does not pay the applicable
12 discount fee under sub. (3m). The schedule shall establish a fee for a given type of
13 case, and the fee for a given type of case shall be based on the average cost, as
14 determined by the board, for representation for that type of case.

15 **SECTION 3921.** 977.075 (3m) of the statutes is amended to read:

16 977.075 (3m) The board shall establish by rule a fee schedule that sets the
17 discount amount that a person, other than a parent subject to s. 48.275 (2) (b) or
18 938.275 (2) (b), who is client responsible for payment for legal representation, may
19 pay during a time period established by rule instead of paying the applicable fee
20 under sub. (3). The fee schedule shall establish a discount fee for each type of case
21 included in the schedule under sub. (3). If a person client responsible for payment
22 pays the applicable discount fee within the time period established under this
23 section, the person client may not be held liable for any additional payment for
24 counsel.

25 **SECTION 3922.** 977.075 (4) of the statutes is created to read:

1 977.075 (4) The board shall establish by rule a fee schedule that sets the
2 maximum amount that a parent subject to s. 48.275 (2) (b) or 938.275 (2) (b) shall pay
3 as reimbursement for legal services and sets the maximum amount that a person
4 subject to s. 51.605 or 55.107 shall pay as reimbursement for legal services. The
5 maximum amounts under this subsection shall be based on the average cost, as
6 determined by the board, for each applicable type of case.

7 **SECTION 3923.** 977.08 (1) of the statutes is amended to read:

8 977.08 (1) If the representative or the authority for indigency determinations
9 specified under s. 977.07 (1) refers a case to or within the office of the state public
10 defender or if a case is referred under s. 48.23 (4), 51.60, 55.105, or 938.23 (4), the
11 state public defender shall assign counsel according to subs. (3) and (4). If a
12 defendant makes a request for change of attorney assignment, the change of attorney
13 must be approved by the circuit court.

14 **SECTION 3924.** 977.08 (2) (intro.) of the statutes is amended to read:

15 977.08 (2) (intro.) All attorneys in a county shall be notified in writing by the
16 state public defender that a set of lists is being prepared of attorneys willing to
17 represent ~~children~~ persons referred under s. 48.23 (4), 51.60, 55.105, or 938.23 (4)
18 and indigent clients in the following:

19 **SECTION 3925.** 977.08 (2) (d) of the statutes is repealed.

20 **SECTION 3926.** 977.085 (3) of the statutes is amended to read:

21 977.085 (3) The board shall provide quarterly reports to the joint committee
22 on finance on the status of reimbursement for or recoupment of payments under ss.
23 48.275, 51.605, 55.107, 757.66, 938.275, 977.06, 977.07 (2), 977.075 and 977.076,
24 including the amount of revenue generated by reimbursement and recoupment. The
25 quarterly reports shall include any alternative means suggested by the board to

1 improve reimbursement and recoupment procedures and to increase the amount of
2 revenue generated. The department of justice, district attorneys, circuit courts and
3 applicable county agencies shall cooperate by providing any necessary information
4 to the state public defender.

5 **SECTION 3926p.** 978.01 (2) (b) of the statutes is amended to read:

6 978.01 (2) (b) A district attorney serves on a part-time basis if his or her
7 prosecutorial unit consists of Buffalo, Florence, or Pepin, Trempealeau or Vernon
8 county.

9 **SECTION 3927.** 978.05 (4m) of the statutes is amended to read:

10 978.05 (4m) WELFARE FRAUD INVESTIGATIONS. Cooperate with the departments
11 of ~~workforce development~~ children and families and health and family services
12 regarding the fraud investigation programs under ss. 49.197 (1m) and 49.845 (1).

13 **SECTION 3928.** 980.036 (10) of the statutes is amended to read:

14 980.036 (10) PAYMENT OF ~~PHOTOCOPY~~ COPYING COSTS IN CASES INVOLVING INDIGENT
15 RESPONDENTS. When the state public defender or a private attorney appointed under
16 s. 977.08 requests ~~photocopies~~ copies, in any format, of any item that is discoverable
17 under this section, the state public defender shall pay any fee charged for the
18 ~~photocopies~~ copies from the appropriation under s. 20.550 (1) (a). If the person
19 providing ~~photocopies~~ copies under this section charges the state public defender a
20 fee for the ~~photocopies~~ copies, the fee may not exceed the actual, necessary, and,
21 direct cost of ~~photocopying~~ providing the copies.

22 **SECTION 3929.** 980.08 (9) of the statutes, as created by 2005 Wisconsin Act 431,
23 is renumbered 980.08 (9) (a).

24 **SECTION 3930.** 980.08 (9) (b) of the statutes is created to read:

1 980.08 (9) (b) The department of corrections may contract for the escort
2 services under par. (a).

3 **SECTION 3931.** 985.01 (1g) of the statutes is amended to read:

4 985.01 (1g) "Governing body" has the meaning given in s. 345.05 (1) (b) and
5 includes a family long-term care district board under s. 46.2895.

6 **SECTION 3932.** 985.01 (3) of the statutes is amended to read:

7 985.01 (3) "Municipality" has the meaning in s. 345.05 (1) (c) and includes a
8 family long-term care district under s. 46.2895.

9 **SECTION 3934.** 995.67 (1) (a) of the statutes is amended to read:

10 995.67 (1) (a) "Domestic abuse" has the meaning given in s. 46.95 49.165 (1)
11 (a).

12 **SECTION 3934b.** 2001 Wisconsin Act 16, section 9107 (13r) is repealed.

13 **SECTION 3935.** 2003 Wisconsin Act 33, section 9159 (4f) is repealed.

14 **SECTION 3936.** 2005 Wisconsin Act 25, section 9101 (4) (b) and (c) is amended
15 to read:

16 [2005 Wisconsin Act 25] Section 9101 (4) (b) ~~the secretary~~ The department of
17 administration shall submit a report to the secretary of the building commission
18 containing an inventory of his or her recommendations to offer specified state
19 properties may offer any parcel of state-owned real property for sale under in
20 accordance with section 16.848 of the statutes, as created by this act, if the property
21 is eligible for sale under that section and this subsection. If the department of
22 administration receives an offer to purchase the property, the secretary of
23 administration may submit a report to the secretary of the building commission
24 recommending acceptance of the offer. The report shall contain a description of the
25 property and the reasons therefor. A property may be included in the inventory for

1 the recommendation. The secretary of administration may recommend the sale of
2 a property with or without approval of the state agency having jurisdiction of the
3 property. If, during the period on or before June 30, 2007, or the period beginning
4 on the effective date of this paragraph and ending on June 30, 2009, the building
5 commission votes to approve the ~~sale of any offer to purchase the property included~~
6 ~~in the inventory,~~ the department of administration may ~~offer~~ sell the property for sale
7 ~~under section 16.848 of the statutes, as created by this act.~~

8 (c) This subsection does not apply during the period beginning after June 30,
9 2007 and ending the day before the effective date of this paragraph, nor during the
10 period after June 30, 2009.

11 **SECTION 3936m.** 2005 Wisconsin Act 25, section 9105 (9) is amended to read:

12 [2005 Wisconsin Act 25] Section 9105 (9) COLUMBIA ST. MARY'S—COLUMBIA
13 CAMPUS. Notwithstanding section 18.04 (1) and (2) of the statutes, no public debt
14 authorized for the acquisition and remodeling of the Columbia campus medical
15 facilities, as enumerated in subsection (1) (h) 1. and 3., may be contracted until after
16 June 30, 2007 2009. Beginning on July 1, 2007 2009, and ending on June 30, 2009
17 2011, not more than 50 percent of the general fund supported borrowing and 50
18 percent of the program revenue supported borrowing authorized for the acquisition
19 and remodeling of the Columbia campus medical facilities may be incurred.
20 Beginning on July 1, 2009 2011, the remainder of the general fund supported
21 borrowing and program revenue supported borrowing authorized for the acquisition
22 and remodeling of the Columbia campus medical facilities may be incurred.

23 **SECTION 3937.** 2005 Wisconsin Act 25, section 9152 (5) is amended to read:

24 [2005 Wisconsin Act 25] Section 9152 (5) SALE OF REAL PROPERTY. If the Board
25 of Regents of the University of Wisconsin System sells any real property under its

1 jurisdiction during the period prior to July 1, 2007, and the period beginning on the
2 effective date of this subsection and ending on June 30, 2009, the board shall credit
3 the net proceeds of the sale to the appropriation account under section 20.285 (1) (iz)
4 of the statutes, as affected by this act, except that if there is any outstanding public
5 debt used to finance the acquisition, construction, or improvement of any property
6 that is sold, the board shall deposit a sufficient amount of the net proceeds from the
7 sale of the property in the bond security and redemption fund under section 18.09
8 of the statutes to repay the principal and pay the interest on the debt, and any
9 premium due upon refunding any of the debt. If the property was acquired,
10 constructed, or improved with federal financial assistance, the board shall pay to the
11 federal government any of the net proceeds required by federal law. If the property
12 was acquired by gift or grant or acquired with gift or grant funds, the board shall
13 adhere to any restriction governing use of the proceeds.

14 **SECTION 3938b.** 2007 Wisconsin Act 1, section 210 (3) is amended to read:

15 [2007 Wisconsin Act 1] Section 210 (3) The unencumbered balance in the
16 appropriation account under section 20.521 (1) (g) of the statutes is transferred to the
17 appropriation account under section 20.511 (1) (i) (im) of the statutes, as created by
18 ~~this act~~ 2007 Wisconsin Act (Senate Bill 40).

19 **SECTION 3938c.** 2007 Wisconsin Act 1, section 211 (4) is created to read:

20 [2007 Wisconsin Act 1] Section 211 (4) The treatment of sections 5.05 (11), 7.08
21 (7), 7.31 (5), 20.510 (intro.) and (1) (title), (a), (b), (bm), (c), (d), (g), (gm), (h), (i), (j),
22 (q), (t), and (x), 20.511 (1) (h) and (i), and 20.521 (intro.) and (1) (title), (a), (b), (g), (h),
23 and (i) of the statutes and SECTION 210 (1) to (4) of this act take effect on the initiation
24 date specified in SECTION 209 (1) or on the day after publication of the 2007 biennial
25 budget act, whichever is earlier.

SECTION 9101. Nonstatutory provisions; Administration.

(2) EMPLOYEE TRANSFERS TO PUBLIC SERVICE COMMISSION. On the effective date of this subsection, all incumbent employees holding positions having responsibility for administering energy conservation and efficiency and renewable resource programs under section 16.957 of the statutes, as determined by the secretary of administration, are transferred to the public service commission. The employees transferred under this subsection have all the rights and the same status under subchapter V of chapter 111 and chapter 230 of the statutes, as affected by this act, in the public service commission that they enjoyed in the department of administration immediately before the transfer. Notwithstanding section 230.28 (4) of the statutes, no employee so transferred who has attained permanent status in class is required to serve a probationary period.

(3) TREATMENT ALTERNATIVES AND DIVERSION GRANT. By December 1, 2007, the county that has the highest violent crime rate, as reported by the office of justice assistance, shall submit an application to the office of justice assistance for a grant under section 16.964 (12) (b) of the statutes. Upon approval of the county's grant application, the office of justice assistance shall from the appropriation under section 20.505 (6) (b) of the statutes, as affected by this act, award \$375,000 to the county for the calendar year beginning January 1, 2008.

(4) ASSESS, INFORM, AND MEASURE GRANT.

(a) By December 1, 2007, the county that has the highest violent crime rate, as reported by the office of justice assistance, shall submit a plan to the office of justice assistance for conducting presentencing assessments for the purpose of providing courts information for sentencing decisions. The plan shall include all of the following components:

1 1. Identification of a target group of offenders from among persons who are
2 convicted of a Class F, G, H, or I felony or a misdemeanor whom the county shall
3 assess.

4 2. Assessment of persons in the target group to determine the risk that they
5 will commit further crimes, their needs that are directly related to criminal behavior,
6 the likelihood that they will respond positively to community-based treatment for
7 the assessed needs, as well as an assessment of the availability of community-based
8 treatment programs to serve the offenders.

9 3. Collection and dissemination of information relating to the accuracy of
10 assessments performed, the value and usefulness of information contained in the
11 assessment reports for purposes of making sentencing decisions, the effectiveness of
12 community-based treatment programs in addressing the assessed needs of
13 offenders, and the effect of the treatment programs with respect to recidivism.

14 4. Annual evaluation of the plan.

15 (b) Upon approval of a county plan submitted under paragraph (a), the office
16 of justice assistance shall from the appropriation under section 20.505 (6) (b) of the
17 statutes, as affected by this act, award the county \$500,000 for the calendar year
18 beginning January 1, 2009, to perform presentencing assessments of offenders. At
19 least 50 percent of the assessments performed by a county with funding provided
20 under this subsection shall be of persons subject to sentencing in connection with a
21 felony.

22 (5) YOUTH DIVERSION GRANT REDUCTIONS.

23 (a) Notwithstanding the amount specified under section 16.964 (8) (a) of the
24 statutes, as affected by this act, the office of justice assistance in the department of
25 administration shall reduce the amount of money allocated under section 16.964 (8)

1 (a) of the statutes, as affected by this act, by \$10,000 in each of fiscal years 2007-08
2 and 2008-09.

3 (b) Notwithstanding the amounts specified under section 16.964 (8) (c) of the
4 statutes, as affected by this act, the office of justice assistance in the department of
5 administration shall reduce the amount of money allocated for each of the 4 contracts
6 that are funded with moneys from the appropriation accounts under section 20.505
7 (6) (d) of the statutes, as affected by this act, by \$3,000 in each of fiscal years 2007-08
8 and 2008-09 and shall reduce the amount of money allocated for the contract that
9 is funded only with moneys from the appropriation account under section 20.505 (6)
10 (kj) of the statutes, as affected by this act, by \$3,100 in each of fiscal years 2007-08
11 and 2008-09.

12 (6f) MOBILE DATA COMPUTERS FOR CITY OF FORT ATKINSON. From the appropriation
13 account under section 20.505 (6) (p) of the statutes, the office of justice assistance in
14 the department of administration shall provide to the city of Fort Atkinson a grant
15 of \$61,400 in fiscal year 2007-08 to purchase mobile data computers for law
16 enforcement vehicles.

17 (6L) FEDERAL BYRNE JUSTICE ASSISTANCE GRANT FUNDING FOR
18 MULTIJURISDICTIONAL ENFORCEMENT GROUPS. For the 2007-08 and 2008-09 fiscal
19 years, the department of administration shall allocate to multijurisdictional
20 enforcement groups 44 percent of the federal Byrne Justice Assistance Grant awards
21 appropriated under section 20.505 (6) (p) of the statutes.

22 (6Lj) FEDERAL BYRNE JUSTICE ASSISTANCE GRANT FUNDING FOR WISCONSIN CASA
23 ASSOCIATION. In each of fiscal years 2007-08 and 2008-09, the office of justice
24 assistance in the department of administration shall distribute \$150,000 of the
25 federal Byrne Justice Assistance Grant awards appropriated under section 20.505

1 (6) (p) of the statutes to the Wisconsin CASA Association for the support, assistance,
2 and development of court-appointed special advocate programs under section 48.07
3 (5) of the statutes.

4 (7f) FUNDING FOR AN EMERGENCY GENERATOR FOR THE TOWN OF SUMNER. From the
5 appropriation account under section 20.505 (6) (mb) of the statutes, the office of
6 justice assistance in the department of administration shall provide a grant of
7 \$10,000 in fiscal year 2007-08 to purchase an emergency generator for the town of
8 Sumner in Jefferson County.

9 (7h) GRANT FOR JUVENILE CRIME PREVENTION. Beginning on January 1, 2008,
10 from the appropriation account under section 20.505 (6) (p) of the statutes, the office
11 of justice assistance in the department of administration shall provide a 3-year
12 grant, totaling \$112,500 to the Cops-N-Kids Reading Program in the city of Racine.

13 (7k) INFORMATION TECHNOLOGY DEVELOPMENT ASSISTANCE TO ELECTIONS BOARD AND
14 GOVERNMENT ACCOUNTABILITY BOARD. The department of administration shall:

15 (a) Assist the elections board, prior to its termination, or the government
16 accountability board, thereafter, in the selection of a vendor to complete the board's
17 database conversion project.

18 (b) Designate a staff person to provide to the elections board, prior to its
19 termination, or the government accountability board, thereafter, quality assurance
20 for information technology development work completed in connection with
21 conversion of the board's campaign finance database.

22 (7t) YOUTH COURT COORDINATOR. From the appropriation account under section
23 20.505 (6) (p) of the statutes, the office of justice assistance in the department of
24 administration shall distribute \$58,000 in each of fiscal years 2007-08 and 2008-09

1 to an entity in Dane County for the employment of a full-time youth court
2 coordinator to expand the number of youth courts in that county.

3 (8i) WRITTEN POLICIES FOR INFORMATION TECHNOLOGY DEVELOPMENT PROJECTS. No
4 later than January 1, 2008, the department of administration shall submit for review
5 by the joint legislative audit committee and for approval by the joint committee on
6 information policy and technology a preliminary draft of the policies required under
7 section 16.971 (2) (Lg) 1. of the statutes, as created by this act.

8 (8j) RULES PERTAINING TO LARGE, HIGH-RISK INFORMATION TECHNOLOGY PROJECTS.
9 The department of administration shall submit in proper form the rules required
10 under section 16.973 (10) of the statutes, as created by this act, to the legislative
11 council staff under section 227.15 (1) of the statutes no later than June 30, 2008.

12 (9q) INFORMATION TECHNOLOGY SERVER CONSOLIDATION STUDY AND SUPPLEMENTAL
13 APPROPRIATION.

14 (a) The department of administration may not request the joint committee on
15 finance to supplement, from the appropriation under section 20.865 (4) (g) of the
16 statutes, the appropriation under section 20.505 (1) (kL) of the statutes, as affected
17 by this act, for the purpose of continuing the consolidation of certain executive
18 branch agency information technology functions until all of the following occur:

19 1. The department of administration completes, in consultation with other
20 executive branch agencies, a study of the ongoing information technology server
21 consolidation project which includes all of the following information:

22 a. A revised timeline for completion of server consolidation.

23 b. A revised analysis of the costs and benefits of proceeding with the server
24 consolidation project, including a full-cost estimate which identifies the costs
25 associated with leasing the existing space for the server consolidation project, any

1 costs or savings which could be realized by leasing less space for the server
2 consolidation project were the project to be scaled back, the costs of moving the server
3 consolidation project to an alternate location, and the cost of retaining independent
4 servers at executive branch agencies.

5 2. The department of administration submits the consolidation study required
6 under subdivision 1. for review by the joint committee on finance and the joint
7 committee on information policy and technology or, if the joint committee on
8 information policy and technology is not organized, the joint legislative audit
9 committee.

10 (b) For the purpose under paragraph (a), the joint committee on finance may
11 not supplement the appropriation under section 20.505 (1) (kL) of the statutes, as
12 affected by this act, in fiscal year 2007-08, and may not supplement the
13 appropriation under section 20.505 (1) (kL) of the statutes, as affected by this act, by
14 more than \$2,352,800 in fiscal year 2008-09.

15 (10q) POSITION AUTHORIZATIONS; BOARD FOR PEOPLE WITH DEVELOPMENTAL
16 DISABILITIES. There is authorized for the board for people with developmental
17 disabilities 7.75 FTE FED positions to be funded from the appropriation under
18 section 20.434 (1) (mc) of the statutes, as created by this act.

19 **SECTION 9102. Nonstatutory provisions; Aging and Long-Term Care**
20 **Board.**

21 **SECTION 9103. Nonstatutory provisions; Agriculture, Trade and**
22 **Consumer Protection.**

23 (1k) PRESCRIPTION DRUG COLLECTION GRANT RULES. Using the procedure under
24 section 227.24 of the statutes, the department of agriculture, trade and consumer
25 protection may promulgate a rule necessary to authorize grants for programs to

1 collect unwanted prescription drugs under section 93.57 of the statutes, as affected
2 by this act, for the period before the effective date of the permanent rule necessary
3 to authorize those grants, but not to exceed the period authorized under section
4 227.24 (1) (c) and (2) of the statutes. Notwithstanding section 227.24 (1) (a), (2) (b),
5 and (3) of the statutes, the department is not required to provide evidence that
6 promulgating a rule under this subsection as an emergency rule is necessary for the
7 preservation of the public peace, health, safety, or welfare and is not required to
8 provide a finding of emergency for a rule promulgated under this subsection.

9 (2c) INTERNATIONAL CRANE FOUNDATION FUNDING. The department of
10 agriculture, trade and consumer protection shall provide \$71,000 in fiscal year
11 2007-08 and \$71,000 in fiscal year 2008-09 from the appropriation under section
12 20.115 (7) (t) of the statutes, as created by this act, to the International Crane
13 Foundation for costs associated with a sandhill crane crop depredation project if the
14 International Crane Foundation provides funding for the project from other sources
15 equal to at least 70 percent of the amount to be provided under this subsection.

16 (3i) EMERGENCY RULES FOR BUY LOCAL, BUY WISCONSIN PROGRAM. The department
17 of agriculture, trade and consumer protection may promulgate emergency rules
18 under section 227.24 of the statutes implementing section 93.48 of the statutes, as
19 created by this act. Notwithstanding section 227.24 (1) (c) and (2) of the statutes,
20 emergency rules promulgated under this subsection remain in effect until the first
21 day of the 19th month beginning after the effective date of this subsection or the date
22 on which permanent rules take effect, whichever is sooner. Notwithstanding section
23 227.24 (1) (a) and (3) of the statutes, the department of agriculture, trade and
24 consumer protection is not required to provide evidence that promulgating a rule
25 under this subsection as an emergency rule is necessary for the preservation of public

1 peace, health, safety, or welfare and is not required to provide a finding of emergency
2 for a rule promulgated under this subsection.

3 (4u) GRANTS FOR SOYBEAN CRUSHING FACILITIES. During the 2007-09 fiscal
4 biennium, the department of agriculture, trade and consumer protection shall make
5 grants from the appropriation under section 20.115 (4) (qm) of the statutes, as
6 created by this act, for the construction of soybean crushing facilities with the
7 capacity to process more than 20,000,000 bushels of soybeans per year.

8 **SECTION 9104. Nonstatutory provisions; Arts Board.**

9 (1j) ONETIME GRANTS. From the appropriation account under section 20.215 (1)
10 (fm) of the statutes, as created by this act, the arts board shall distribute grants as
11 follows:

12 (a) *Lake Superior Big Top Chautauqua*. A grant of \$25,000 in fiscal year
13 2007-08 to the Lake Superior Big Top Chautauqua performing arts center in the
14 county of Bayfield.

15 (b) *Ko-Thi Dance Company*. A grant of \$10,000 in fiscal year 2007-08 to the
16 Ko-Thi Dance Company in the city of Milwaukee.

17 (c) *African American Children's Theater*. A grant of \$5,000 in fiscal year
18 2007-08 to the African American Children's Theater in the city of Milwaukee.

19 **SECTION 9105. Nonstatutory provisions; Building Commission.**

20 (1) 2007-09 AUTHORIZED STATE BUILDING PROGRAM. For the fiscal years
21 beginning on July 1, 2007, and ending on June 30, 2009, the Authorized State
22 Building Program is as follows:

23 (2) PROGRAMS PREVIOUSLY AUTHORIZED. In addition to the projects and financing
24 authority enumerated under subsection (1), the building and financing authority

1 enumerated under the previous state building program is continued in the 2007-09
2 fiscal biennium.

3 (3) LOANS. During the 2007-09 fiscal biennium, the building commission may
4 make loans from general fund supported borrowing or the building trust fund to state
5 agencies, as defined in section 20.001 (1) of the statutes, for projects that are to be
6 utilized for programs not funded by general purpose revenue and that are authorized
7 under subsection (1).

8 (4) PROJECT CONTINGENCY FUNDING RESERVE.

9 (a) During the 2007-09 fiscal biennium, the building commission may allocate
10 moneys from the appropriation under section 20.866 (2) (yg) of the statutes for
11 contingency expenses in connection with any project in the Authorized State
12 Building Program.

13 (b) During the 2007-09 fiscal biennium, the building commission may allocate
14 moneys from the appropriation under section 20.866 (2) (ym) of the statutes for
15 capital equipment acquisition in connection with any project in the Authorized State
16 Building Program.

17 (5i) HMONG CULTURAL CENTERS. Notwithstanding section 13.48 (36) (b) of the
18 statutes, as created by this act, the building commission shall not make any grant
19 to an organization for purchase or construction of a Hmong cultural center under
20 section 13.48 (36) of the statutes, as created by this act, unless the department of
21 administration has reviewed and approved plans for the center. Notwithstanding
22 sections 16.85 (1) and 16.855 (1) of the statutes, the department of administration
23 shall not supervise any services or work or let any contract for any such cultural
24 center. Section 16.87 of the statutes does not apply to any such center.

1 (6i) CIVIL WAR EXHIBIT AT THE KENOSHA PUBLIC MUSEUMS. Notwithstanding
2 section 13.48 (38) (b) of the statutes, as created by this act, the building commission
3 shall not make a grant to the Kenosha Public Museums for construction of a Civil
4 War exhibit project, as enumerated in subsection (1) (n), under section 13.48 (38) of
5 the statutes, as created by this act, unless the department of administration has
6 reviewed and approved plans for the project. Notwithstanding sections 16.85 (1) and
7 16.855 (1) of the statutes, the department of administration shall not supervise any
8 services or work or let any contract for the project. Section 16.87 of the statutes does
9 not apply to the project.

10 (7) SAND RIDGE SECURE TREATMENT CENTER 300-BED ADDITION. Notwithstanding
11 section 18.04 (1) and (2) of the statutes, of the public debt authorized for the Sand
12 Ridge Secure treatment Center 300-bed addition, as enumerated in subsection (1)
13 (d) 1., \$12,500,000 in public debt may not be contracted until after June 30, 2009.

14 (7j) BOND HEALTH CENTER. Notwithstanding section 13.48 (36p) (b) of the
15 statutes, as created by this act, the building commission shall not make a grant to
16 the Bond Health Center for construction costs related to hospital expansion, as
17 enumerated in subsection (1) (mc), under section 13.48 (36p) of the statutes, as
18 created by this act, unless the department of administration has reviewed and
19 approved plans for the project. Notwithstanding sections 16.85 (1) and 16.855 (1) of
20 the statutes, the department of administration shall not supervise any services or
21 work or let any contract for the project. Section 16.87 of the statutes does not apply
22 to the project.

23 (8) SCHOOL OF HUMAN ECOLOGY. Notwithstanding section 18.04 (1) and (2) of the
24 statutes, of the public debt authorized for the School of Human Ecology at Madison,

1 as enumerated in subsection (1) (j) 1., \$22,500,000 in public debt may not be
2 contracted until after June 30, 2011.

3 (9) UNIVERSITY OF WISCONSIN SYSTEM; MISCELLANEOUS PROJECTS.
4 Notwithstanding section 18.04 (1) and (2) of the statutes, of the public debt
5 authorized for projects at La Crosse, Oshkosh, Parkside, and Superior, as
6 enumerated in subsection (1) (j) 1., \$69,139,000 in public debt may not be contracted
7 until after June 30, 2009.

8 (9p) 2001-03 STATE BUILDING PROGRAM DELETIONS. In 2001 Wisconsin Act 16,
9 section 9107 (1) (p), under projects financed by general fund supported borrowing,
10 the 2001-03 state building program project identified as Discovery Place museum
11 — Racine is deleted and the appropriate totals are decreased accordingly.

12 (9t) 2005-07 STATE BUILDING PROGRAM DELETIONS. In 2005 Wisconsin Act 25,
13 section 9105 (1) (h) 3., under projects financed by program revenue supported
14 borrowing for the University of Wisconsin-Platteville, the 2005-07 state building
15 program project identified as Purchase and remodeling of buildings at 300 W.
16 Highway 151 and 825 Chestnut Street (housing) is deleted and the appropriate totals
17 are decreased accordingly.

18 **SECTION 9106. Nonstatutory provisions; Child Abuse and Neglect**
19 **Prevention Board.**

20 **SECTION 9107. Nonstatutory provisions; Circuit Courts.**

21 (1j) CIRCUIT JUDGE ELECTION. The initial election for circuit judge for branch 8
22 of the circuit court for Kenosha County shall be at the spring election of 2008 for
23 terms commencing August 1, 2009, and ending July 31, 2015.

24 (1k) CIRCUIT JUDGE POSITION. The authorized FTE positions for the circuit courts
25 are increased by 1.0 GPR circuit judge position on August 1, 2009, to be funded from

1 the appropriation under section 20.625 (1) (a) of the statutes, to provide an additional
2 circuit court judge for the circuit court branch created by section 753.06 (2) (a) of the
3 statutes, as affected by this act.

4 (1L) COURT REPORTER POSITION. The authorized FTE positions for the circuit
5 courts are increased by 1.0 GPR court reporter position on August 1, 2009, to be
6 funded from the appropriation under section 20.625 (1) (a) of the statutes, to provide
7 one court reporter for the circuit court branch created by section 753.06 (2) (a) of the
8 statutes, as affected by this act.

9 (3g) CIRCUIT COURT BRANCH IN JUNEAU COUNTY. The initial election for circuit
10 judge for branch 2 of the circuit court for Juneau County shall be at the spring
11 election of 2008 for terms commencing August 1, 2008, and ending July 31, 2014.

12 (3h) CIRCUIT COURT BRANCH IN JUNEAU COUNTY.

13 (a) The authorized FTE positions for the circuit courts are increased by 1.0 GPR
14 circuit judge position on June 30, 2008, to be funded from the appropriation under
15 section 20.625 (1) (a) of the statutes, to provide an additional circuit court judge for
16 the circuit court branch created by section 753.06 (6) (e) of the statutes, as affected
17 by this act.

18 (b) The authorized FTE positions for the circuit courts are increased by 1.0 GPR
19 court reporter position on June 30, 2008, to be funded from the appropriation under
20 section 20.625 (1) (a) of the statutes, to provide one court reporter for the circuit court
21 branch created by section 753.06 (6) (e) of the statutes, as affected by this act.

22 **SECTION 9108. Nonstatutory provisions; Commerce.**

23 (1) BUDGET INFORMATION; SURPLUS TRANSFER. Notwithstanding section 16.42 (1)
24 (e) of the statutes, in submitting information under section 16.42 of the statutes for
25 the purposes of the 2009-11 biennial budget bill, the department of commerce shall

1 submit a dollar amount for the appropriation under section 20.143 (2) (b) of the
2 statutes as though the amount appropriated to the department of commerce in fiscal
3 year 2008-09 under section 20.143 (2) (b) of the statutes is \$2,000,000.

4 (2c) CONSTRUCTION CAREER ACADEMY GRANT PROGRAM RULES. The department of
5 commerce shall submit in proposed form the rules required under section 101.31 (6)
6 of the statutes, as created by this act, to the legislative council staff under section
7 227.15 (1) of the statutes no later than December 31, 2007.

8 (3d) CREX MEADOWS YOUTH CONSERVATION CAMP GRANT. The department of
9 commerce shall award a grant of \$80,000 in the 2007-09 fiscal biennium from the
10 appropriation under section 20.143 (3) (km) of the statutes, as created by this act, for
11 the Crex Meadows youth conservation camp. The recipient of the grant shall provide
12 \$20,000 in matching funds for the grant. The department of commerce shall disburse
13 \$40,000 of the grant funds to the recipient when the recipient demonstrates that it
14 has contributed \$10,000 in matching funds. The department of commerce shall
15 disburse the remaining \$40,000 of the grant funds to the recipient when the recipient
16 demonstrates that it has contributed an additional \$10,000 in matching funds.

17 (4t) RENEWABLE ENERGY GRANTS AND LOANS; POSITION AUTHORIZATION. The
18 authorized FTE positions for the department of commerce are increased by 1.0 SEG
19 position on the effective date of this subsection, to be funded from the appropriation
20 under s. 20.143 (1) (um) of the statutes, as created by this act, for the purpose of
21 administering the renewable energy grant and loan program under s. 560.126 of the
22 statutes, as created by this act.

23 (4u) GRANT TO NANORITE FACILITY. Notwithstanding section 560.61 of the
24 statutes, as affected by this act, the department of commerce shall make grants
25 totaling \$160,000 in the 2007-09 fiscal biennium from the appropriation account

1 under section 20.143 (1) (c) of the statutes, as affected by the acts of 2007, to the
2 NanoRite facility at Chippewa Valley Technical College. The department of
3 commerce shall enter into an agreement with the NanoRite facility that specifies the
4 uses for the grant proceeds and reporting and auditing requirements.

5 (4v) GRANT FOR PULP AND PAPER MILL. Notwithstanding section 560.126 of the
6 statutes, as created by this act, the department of commerce shall award grants
7 totaling not more than \$5,000,000 from the appropriation under section 20.143 (1)
8 (tm) of the statutes, as created by this act, to a paper mill in this state to emerge from
9 bankruptcy, if all of the following apply:

10 (a) The grant recipient submits a plan to the department of commerce
11 specifying the proposed use of the grant and the secretary of commerce approves the
12 plan.

13 (b) The department enters into a written agreement with the grant recipient
14 that specifies the conditions for the use of the grant, including reporting and auditing
15 requirements.

16 (c) The grant recipient agrees in writing to submit to the department, within
17 6 months after spending the grant proceeds, a report detailing how the grant
18 proceeds were spent.

19 (5i) GRANT TO CITY OF OSHKOSH. In the 2007-09 fiscal biennium, the department
20 of commerce shall make a grant of \$25,000 from the appropriation account under
21 section 20.143 (2) (gm) of the statutes, as created by this act, to the city of Oshkosh,
22 for neighborhood improvement and stabilization. The department of commerce shall
23 enter into an agreement with the city of Oshkosh that specifies the uses for the grant
24 proceeds and reporting and auditing requirements.

1 (5x) LOANS FOR PULP AND PAPER MILL. Notwithstanding section 560.61 of the
2 statutes, as affected by this act, the department of commerce shall make 2 loans, each
3 in an amount not to exceed \$1,000,000, in the 2007-09 fiscal biennium from the
4 appropriation account under section 20.143 (1) (ie) of the statutes, as affected by this
5 act, to a paper mill in this state to emerge from bankruptcy. The department of
6 commerce shall enter into an agreement with the recipient of the loan under this
7 subsection that specifies the uses for the loan proceeds and reporting and auditing
8 requirements.

9 (6c) GRANT TO CITY OF GREEN BAY. Notwithstanding section 560.61 of the
10 statutes, as affected by this act, the department of commerce shall make a grant of
11 \$2,800,000 in the 2007-09 fiscal biennium to the city of Green Bay from the
12 appropriation account under section 20.143 (1) (c) of the statutes, as affected by this
13 act, for the Fox River Boardwalk. The department of commerce shall enter into an
14 agreement with the city that specifies the uses for the grant proceeds and reporting
15 and auditing requirements.

16 (7c) GRANT TO CITY OF MONDOVI. Notwithstanding section 560.61 of the statutes,
17 as affected by this act, the department of commerce shall make a grant of \$25,000
18 in the 2007-09 fiscal biennium to the city of Mondovi from the appropriation account
19 under section 20.143 (1) (c) of the statutes, as affected by this act, for a youth center.
20 The department of commerce shall enter into an agreement with the city that
21 specifies the uses for the grant proceeds and reporting and auditing requirements.

22 (7f) GRANT FOR UNION TRAINING PROGRAM. Notwithstanding section 560.61 of the
23 statutes, as affected by this act, the department of commerce shall make a grant from
24 the appropriation account under section 20.143 (1) (c) of the statutes, as affected by
25 the acts of 2007, of \$125,000 in fiscal 2007-08 and a grant of \$125,000 in fiscal

1 2008-09, to the Painters and Allied Trades District Council 7 for a training program.
2 The department of commerce shall enter into an agreement with the Painters and
3 Allied Trades District Council 7 that specifies the uses for the grant proceeds and
4 reporting and auditing requirements.

5 (8c) GRANT TO CITY OF STEVENS POINT. Notwithstanding section 560.61 of the
6 statutes, as affected by this act, the department of commerce shall make a grant of
7 \$15,400 in the 2007-08 fiscal year to the city of Stevens Point from the appropriation
8 account under section 20.143 (1) (c) of the statutes, as affected by this act, for
9 economic development. The department of commerce shall enter into an agreement
10 with the city that specifies the uses for the grant proceeds and reporting and auditing
11 requirements.

12 (8i) GRANT TO CITY OF EAU CLAIRE. Notwithstanding section 560.61 of the
13 statutes, as affected by this act, the department of commerce shall make a grant of
14 \$50,000 in the 2007-09 fiscal biennium from the appropriation account under
15 section 20.143 (1) (c) of the statutes, as affected by this act, to the city of Eau Claire
16 for the renovation of Hobbs Ice Arena. The department of commerce shall enter into
17 an agreement with the city of Eau Claire that specifies the uses for the grant proceeds
18 and reporting and auditing requirements.

19 (9i) GRANT TO VILLAGE OF ASHWAUBENON. Notwithstanding section 560.61 of the
20 statutes, as affected by this act, the department of commerce shall make a grant of
21 \$50,000 in the 2007-09 fiscal biennium from the appropriation account under
22 section 20.143 (1) (c) of the statutes, as affected by this act, to the village of
23 Ashwaubenon for the construction and maintenance of Cornerstone Ice Arena. The
24 department of commerce shall enter into an agreement with the village of

1 Ashwaubenon that specifies the uses for the grant proceeds and reporting and
2 auditing requirements.

3 (10q) GRANTS FOR MANUFACTURING DEVALUATION PROPERTY TAX LOSSES.
4 Notwithstanding section 560.61 of the statutes, as affected by this act, the
5 department of commerce shall award grants in the 2007-08 fiscal year from the
6 appropriation account under section 20.143 (1) (c) of the statutes, as affected by this
7 act, to municipalities that have experienced manufacturing devaluation property
8 tax loss in the counties of Wood, Adams, and Portage. The total amount of all grants
9 awarded under this subsection may not exceed \$360,000. The department shall enter
10 into an agreement with each municipality that specifies the uses for the grant
11 proceeds and reporting and auditing requirements.

12 **SECTION 9109. Nonstatutory provisions; Corrections.**

13 (1) YOUTH DIVERSION PROGRAM TRANSFER.

14 (a) *Assets and liabilities.* On the effective date of this paragraph, the assets and
15 liabilities of the department of corrections that are primarily related to the youth
16 diversion from gang activities program under section 301.265, 2005 stats., as
17 determined by the secretary of administration, shall become the assets and liabilities
18 of the department of administration.

19 (b) *Positions and employees.* On the effective date of this paragraph, all
20 positions and all incumbent employees holding those positions in the department of
21 corrections performing duties that are primarily related to the youth division from
22 gang activities program under section 301.265, 2005 stats., as determined by the
23 secretary of administration, are transferred to the department of administration.

24 (c) *Employee status.* Employees transferred under paragraph (b) have all the
25 rights and the same status under subchapter V of chapter 111 and chapter 230 of the

1 statutes, as affected by this act, in the department of administration that they
2 enjoyed in the department of corrections immediately before the transfer.
3 Notwithstanding section 230.28 (4) of the statutes, no employee so transferred who
4 has attained permanent status in class is required to serve a probationary period.

5 (d) *Tangible personal property.* On the effective date of this paragraph, all
6 tangible personal property, including records, of the department of corrections that
7 is primarily related to the youth diversion from gang activities program under
8 section 301.265, 2005 stats., as determined by the secretary of administration, is
9 transferred to the department of administration.

10 (e) *Pending matters.* Any matter pending with the department of corrections
11 on the effective date of this paragraph that is primarily related to the youth diversion
12 from gang activities program under section 301.265, 2005 stats., as determined by
13 the secretary of administration, is transferred to the department of administration.
14 All materials submitted to or actions taken by the department of corrections with
15 respect to the pending matter are considered as having been submitted to or taken
16 by the department of administration.

17 (f) *Contracts.* All contracts entered into by the department of corrections in
18 effect on the effective date of this paragraph that are primarily related to the youth
19 diversion from gang activities program under section 301.265, 2005 stats., as
20 determined by the secretary of administration, remain in effect and are transferred
21 to the department of administration. The department of administration shall carry
22 out any obligations under those contracts unless modified or rescinded by the
23 department of administration to the extent allowed under the contract.

24 (g) *Rules and orders.* All rules promulgated by the department of corrections
25 in effect on the effective date of this paragraph that are primarily related to the youth

1 diversion from gang activities program under section 301.265, 2005 stats., remain
2 in effect until their specified expiration dates or until amended or repealed by the
3 department of administration. All orders issued by the department of corrections in
4 effect on the effective date of this paragraph that are primarily related to the youth
5 diversion from gang activities program under section 301.265, 2005 stats., remain
6 in effect until their specified expiration dates or until modified or rescinded by the
7 department of administration.

8 (1f) EFFECTS OF ADULT CRIMINAL JURISDICTION ON 17-YEAR-OLDS. By March 31,
9 2008, the department of corrections shall submit to the legislative audit bureau a
10 response to the 2007 legislative audit bureau report regarding the effects of adult
11 criminal jurisdiction on 17-year-olds. The legislative audit bureau shall file a copy
12 of the response under this subsection with the distributees specified in section 13.94
13 (1) (b) of the statutes.

14 (2) FUNDING FOR CERTAIN COMMUNITY REINTEGRATION SERVICES. From the
15 appropriation under section 20.410 (1) (d) of the statutes, the department of
16 corrections shall provide \$500,000 during the 2007-08 fiscal year and \$500,000
17 during the 2008-09 fiscal year to New Hope Project, Inc., for transitional
18 employment services.

19 (2k) TREATMENT ALTERNATIVES AND DIVERSION PROGRAM. By May 1, 2008, the
20 department of corrections shall submit a report to the joint committee on finance on
21 the impact of the program administered under s. 16.964 (12) of the statutes on the
22 department of correction's 2009-11 biennial budget. The department of corrections
23 shall evaluate the impact of increased community treatment and diversion programs
24 for nonviolent offenders on the department's institutional and community
25 corrections population, and on the department's costs of operation.

1 (3j) REPORT ON OVERCROWDING IN THE PRAIRIE DU CHIEN CORRECTIONAL
2 INSTITUTION. The department of corrections shall evaluate the current capacity and
3 usage of the segregation unit at the Prairie du Chien Correctional Institution and
4 shall, by July 1, 2008, submit a report to the joint committee on finance that includes
5 its findings and addresses the issue of overcrowding in the segregation unit.

6 **SECTION 9110. Nonstatutory provisions; Court of Appeals.**

7 **SECTION 9111. Nonstatutory provisions; District Attorneys.**

8 (1L) PROSECUTION OF DRUG CRIMES; MILWAUKEE COUNTY. From the appropriation
9 account under section 20.505 (6) (p) of the statutes, the department of
10 administration, and from the appropriation account under section 20.455 (2) (kp) of
11 the statutes, the department of justice, shall expend \$143,000 in fiscal year 2007-08
12 and \$157,600 in fiscal year 2008-09 to provide the multijurisdictional enforcement
13 group serving Milwaukee County with funding for 2.0 assistant district attorney
14 positions to prosecute criminal violations of chapter 961 of the statutes. The
15 department of administration shall determine the amounts to be expended from each
16 appropriation account for each fiscal year.

17 (2L) PROSECUTION OF DRUG CRIMES; DANE COUNTY. From the appropriation
18 account under section 20.505 (6) (p) of the statutes, the department of
19 administration, and from the appropriation account under section 20.455 (2) (kp) of
20 the statutes, the department of justice, shall expend \$60,000 in fiscal year 2007-08
21 and \$65,900 in fiscal year 2008-09 to provide the multijurisdictional enforcement
22 group serving Dane County with funding for 0.75 assistant district attorney position
23 to prosecute criminal violations of chapter 961 of the statutes. The department of
24 administration shall determine the amounts to be expended from each appropriation
25 account for each fiscal year.

1 (3L) PROSECUTION OF DRUG CRIMES; ST. CROIX COUNTY. From the appropriation
2 account under section 20.455 (2) (kp) of the statutes the department of justice shall
3 expend \$84,500 in fiscal year 2007–08 and \$94,600 in fiscal year 2008–09 to provide
4 the multijurisdictional enforcement group serving St. Croix County with funding for
5 1.0 assistant district attorney position to prosecute criminal violations of chapter 961
6 of the statutes.

7 (4q) DISTRICT ATTORNEY POSITION; ST. CROIX COUNTY. From the appropriation
8 account under section 20.505 (6) (p) of the statutes, the office of justice assistance in
9 the department of administration shall expend \$32,400 in fiscal year 2007–08 and
10 \$64,800 in fiscal year 2008–09 to fund 1.0 assistant district attorney position in St.
11 Croix County.

12 (4r) DISTRICT ATTORNEY POSITION; CHIPPEWA COUNTY. From the appropriation
13 account under section 20.505 (6) (p) of the statutes, the office of justice assistance in
14 the department of administration shall expend \$16,700 in fiscal year 2007–08 and
15 \$16,700 in fiscal year 2008–09 to fund 0.25 assistant district attorney position in
16 Chippewa County.

17 **SECTION 9112. Nonstatutory provisions; Educational Communications**
18 **Board.**

19 **SECTION 9114. Nonstatutory provisions; Employee Trust Funds.**

20 (1c) REENGINEERING INFORMATION TECHNOLOGY SYSTEMS.

21 (a) The department of employee trust funds shall provide to the joint committee
22 on finance copies of all materials submitted to the department of administration that
23 relate to the release of moneys from unallotted reserve, during the 2007–09 fiscal
24 biennium, for reengineering information technology systems of the department of
25 employee trust funds.

1 (b) The joint committee on finance may supplement, from the appropriation
2 under section 20.865 (4) (u) of the statutes, the appropriation under section 20.515
3 (1) (t) of the statutes for the purpose of implementing a redesigned lump-sum
4 payment system if all of the following occur:

5 1. The department of employee trust funds submits a report to the joint
6 committee on finance on its plan to implement the redesigned lump-sum payment
7 system. The report shall specify how the plan conforms to information technology
8 projects planning and monitoring standards developed by the department of
9 administration and submitted to the joint legislative audit committee in response to
10 legislative audit bureau report 07-5, entitled "Information Technology Projects."

11 2. The department of employee trust funds submits a request to the joint
12 committee on finance to supplement the appropriation under section 20.515 (1) (t)
13 of the statutes for implementation of a redesigned lump-sum payment system.

14 3. The cochairpersons of the joint committee on finance do not notify the
15 department of employee trust funds that the committee has scheduled a meeting for
16 the purpose of reviewing the request within 14 working days after the date of the
17 receipt of the request. If, within 14 working days after the date of the receipt of the
18 request, however, the cochairpersons of the committee notify the department of
19 employee trust funds that the committee has scheduled a meeting for the purpose
20 of reviewing the proposed supplement, the supplement may occur only upon
21 approval of the committee.

22 (c) During the 2007-09 fiscal biennium, the department of employee trust
23 funds shall submit a report to the joint committee on finance on its plan for
24 implementing an integrated health insurance enrollment, eligibility, and processing
25 system. The report shall specify all of the following:

1 1. The costs for each fiscal year in which implementation work is to be
2 performed, including specifically potential costs for the 2009-11 fiscal biennium.

3 2. How the implementation plan conforms to information technology projects
4 planning and monitoring standards developed by the department of administration
5 and submitted to the joint legislative audit committee in response to legislative audit
6 bureau report 07-5, entitled "Information Technology Projects."

7 3. How the internal resources of the department of employee trust funds will
8 be used in the implementation work of the integrated health insurance enrollment,
9 eligibility, and processing system and in the implementation work associated with
10 the lump-sum payment system to ensure timely and successful completion of both
11 projects.

12 (2w) PAYMENT OF HEALTH INSURANCE PREMIUMS FOR EMPLOYEES OF THE HEALTH
13 INSURANCE RISK-SHARING PLAN AUTHORITY. Notwithstanding section 40.05 (4) (a) 2.
14 of the statutes, as affected by this act, for an insured employee, as defined in section
15 40.02 (39) of the statutes, who is employed by the Health Insurance Risk-Sharing
16 Plan Authority on the effective date of this subsection, the employer shall pay
17 required employer contributions toward the health insurance premium beginning on
18 the date on which the employee becomes insured.

19 **SECTION 9115. Nonstatutory provisions; Employment Relations**
20 **Commission.**

21 **SECTION 9117. Nonstatutory provisions; Financial Institutions.**

22 **SECTION 9118. Nonstatutory provisions; Fox River Navigational**
23 **System Authority.**

24 **SECTION 9118m. Nonstatutory provisions; Government Accountability**
25 **Board.**

1 (1k) REPORTS ON PROPOSED PER DIEM PAYMENTS. The government accountability
2 board shall report to the cochairpersons of the joint committee on finance in fiscal
3 year 2007-08 and in fiscal year 2008-09 concerning the need for funding of the
4 board's proposed per diem payments to board members and to the chairperson of the
5 board or the chairperson's designee in that fiscal year.

6 (1u) USE OF APPROPRIATIONS TO GOVERNMENT ACCOUNTABILITY BOARD; DEPOSIT AND
7 CREDITING OF REVENUES. Notwithstanding section 20.511 of the statutes, as affected
8 by this act, if the elections board and the ethics board remain constituted and vested
9 with authority on the effective date of this subsection, the elections board and the
10 ethics board may, for so long as the boards remain so constituted and vested,
11 encumber or expend moneys from any appropriation made to the government
12 accountability board for the 2007-09 fiscal biennium, consistently with the purposes
13 of that appropriation. The elections board and the ethics board, for so long as the
14 boards remain constituted and vested with authority, shall deposit into the
15 appropriate fund or credit to the appropriate appropriation account for any
16 appropriation made to the government accountability board all revenues received by
17 the respective boards, consistently with the purposes for which those revenues are
18 directed by law to be deposited or credited by the government accountability board.
19 However, neither board may encumber or expend moneys under this subsection in
20 an amount greater than the amount that would be authorized for a state agency
21 under section 20.002 (1) of the statutes, as determined by the department of
22 administration, during a fiscal year for which the biennial budget has not been
23 enacted at the time that an encumbrance or expenditure is made.

24 **SECTION 9119. Nonstatutory provisions; Governor.**